

Paul J. Kennedy

Shareholder

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Focus Areas

Unfair Competition and Trade Secrets

Discrimination and Harassment

Overview

Paul Kennedy's primary focus in every aspect of practicing law is exceptional client service. He is dedicated to strategic analysis, seeking practical solutions for clients when feasible, and, when not, aggressively litigating disputes to achieve favorable outcomes. He well understands that responsiveness and partnering with clients is critical to solid and enduring business relationships. With more than 30 years of experience, Paul is a trial lawyer first, who has experience with a wide range of employment issues, including terminations, reductions in force, leave issues, wage disputes, investigations, employee theft, union issues, and intellectual property protection, among others. A practiced and engaging public speaker, Paul is a frequent and able communicator at industry conferences and functions.

Paul regularly litigates cases involving breach of restrictive covenants, employee raiding, and theft of trade secrets. He has handled multiple injunction proceedings and trials over these claims. He is counsel in numerous reported opinions that have defined unfair competition law in multiple jurisdictions, including Maryland and Virginia. He also has drafted and negotiated various contracts, including employment, confidentiality and proprietary rights, and assignment of invention agreements. He has written and spoken extensively on issues relating to restrictive covenants, protection of trade secrets, and employee theft of proprietary information.

Paul also has substantial experience litigating a broad spectrum of cases involving claims such as:

- Discrimination based on sex, race, national origin, age, religion, disability and pregnancy
- Sexual harassment
- Retaliation (including whistleblowing)

- Defamation, tortious interference claims, and other employment torts

Paul has extensive trial experience, having conducted numerous jury and non-jury trials. He also regularly counsels employers on federal and state employment laws and provides training on a variety of workplace topics. He has represented clients in a wide variety of industries including financial services, staffing, technology, retail, hospitality, healthcare, transportation, and pharmaceuticals.

Paul is a member of the Shareholder Compensation Committee, and has served on Littler's Board of Directors. Paul is also former co-chair of Littler's Unfair Competition and Trade Secrets Practice Group.

Prior to joining Littler, he was a partner in the D.C. office of a large international law firm and practiced in the areas of labor and employment as well as intellectual property. He began his career at a large general practice firm in Houston, Texas, practicing commercial and toxic tort litigation. In law school, he was executive editor for the *Washington and Lee Law Review*.

Paul has also been listed in *Washingtonian Magazine's* "Best Lawyers" edition (2011-2012, 2013-2014, 2015-2016, 2018) as one of the top lawyers to represent employers.

Recognition

- Awarded, AV® Peer Review Rating, *Martindale-Hubbell*
- Named, The Best Lawyers in America®, 2020-2025
- Recipient, Client Service All-Star Award, *BTI Consulting Group*, 2022, 2024
- Recommended, Labour & Employment, *Who's Who Legal*, 2024
- Named, Washingtonian Top Lawyers, *Washingtonian Media*, 2018
- Twenty Year Milestone, Littler Shareholder, 2017
- Named, Super Lawyer, Washington, DC, *Super Lawyers*, 2015

Education

J.D., Washington and Lee University, 1984

B.A., Colgate University, 1981, *With Honors*

Bar Admissions

District of Columbia

Virginia

Courts

U.S. Court of Appeals, 4th Circuit
U.S. Court of Appeals, 5th Circuit
U.S. Court of Appeals, D.C. Circuit
U.S. District Court, District of Columbia
U.S. District Court, Eastern District of Virginia
U.S. District Court, Western District of Virginia
U.S. District Court, District of Maryland

Publications & Press

Best Lawyers in America© 2022 Edition Honors More Than 240 Littler Lawyers

Littler Press Release

August 19, 2021

Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers

Littler Press Release

August 20, 2020

Best Lawyers in America© 2020 Edition Honors More Than 200 Littler Lawyers; 14 Named Lawyer of the Year

Littler Press Release

August 15, 2019

Littler Elects Five New Members to Board of Directors

Littler Press Release

January 30, 2019

The Transformation of the Workplace Through Robotics, Artificial Intelligence, and Automation

Littler Report

August 4, 2016

D.C. Court Addresses Inevitable Disclosure Doctrine for the First Time, Leaves Open Possibility for Future Use in Trade Secret Litigation

Littler ASAP

March 17, 2014

Virginia Supreme Court Reverses Dismissal of Non-Compete Case, Emphasizing Need for Case-by-Case Analysis

Littler Insight

September 25, 2013

6 Tips To Maximize Noncompetes' Enforceability

Law360.com

July 26, 2013

Federal Court Finds Choice of Law that Permits Blue Penciling Does Not Violate Virginia Public Policy

Littler ASAP

January 23, 2013

Young Love: Littler Attorneys Offer Tips for Keeping on-the-job Summer Romances from Overheating

Littler Press Release

July 25, 2005

How Not to Hire Employees From a Competitor

Littler Insight

April 30, 2005

Speaking Engagements

New Noncompete and Nonsolicitation Rules: The Altered Legal Landscape in Virginia, D.C. and Maryland

Tysons Corner, VA

November 17, 2021

What's Yours is Mine, and What's Mine is Mine: The Latest on Protecting Company Trade Secrets, Non-Competes, No Poaching Agreements and Other Protections

2018 Mid-Atlantic Employer Conference, Washington, D.C.

June 5, 2018

The New Federal Trade Secret Legislation: Learn What You Need To Do Under The Act

May 19, 2016

Noncompetes & Trade Secret Protection: An Employer's Guide To A Big Year of Change

Boston, MA

September 25, 2015

Noncompetes & Trade Secret Protection: An In-House Counsel's Guide To A Big Year Of Change

Tysons Corner, VA

June 3, 2015

Unfair Competition Litigation and Electronic Information: Proactive Measures to Protect Your Secrets and Navigate Electronics

Chicago, IL

March 5, 2014

A Roadmap for Hiring Competitors' Employees and Preventing Theft of Trade Secrets

Tysons Corner, VA

October 15, 2013

Employee Raiding and Other Recent Non-Compete Developments

Tysons Corner, VA

November 14, 2012

Developments in the Protection of Trade Secrets and Business Goodwill

Mc Lean, VA

November 18, 2010

Higher Education Employment Law: A Comprehensive Perspective

Philadelphia, PA

February 25, 2008